

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: **Chad M Basham**
Melissa S Basham

Debtor(s)

Case No.: 14-29527

Judge: _____

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

☐ Discharge Sought

☒ No Discharge Sought

Date: 2/19/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
 CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor has paid **\$4,636.00** to date and shall pay 150.00 Monthly to the Chapter 13 Trustee, starting on 3/1/2017 for a remaining 31 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Chapter 13 Standing Trustee	Trustee Commissions	to be determined
Law Office of Andrew B. Finberg, LLC	Attorney fees & costs	\$2,810.00(satisfied)
Law Office of Andrew B. Finberg, LLC	supplemental fees & costs	-if applicable and subject to Court order

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated

as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

1. Bank of America (mortgage) 2. GM Financial

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$_____ to be distributed *pro rata*

_____ Not less than _____ percent

 x *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
Toyota Financial Services	2013 Toyota Camry	rejected/lease expired

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions

- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
Debtors lease ended	Plan is being modified for reject completed lease and to adjust for current disposable/discretionary income

Are Schedules I and J being filed simultaneously with this modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date February 19, 2017 /s/ Andrew B. Finberg
Andrew B. Finberg
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: February 19, 2017 /s/ Chad M Basham
Chad M Basham
Debtor

Date: February 19, 2017 /s/ Melissa S Basham
Melissa S Basham
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Chad M Basham
 Melissa S Basham
 Debtors

Case No. 14-29527-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 36

Date Rcvd: Feb 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 26, 2017.

db/jdb +Chad M Basham, Melissa S Basham, 21 Chestnut Street, Lumberton, NJ 08048-1132
 cr +Americredit Financial Services, Inc., dba GM Finan, PO Box 183853, Arlington, TX 76096-3853
 cr +Toyota Motor Credit Corporation, 30 Montgomery Street, Suite 1205, Jersey City, NJ 07302-3835

515065807 +AES/PHEAA, 1200 North 7th St, Harrisburg, PA 17102-1419
 515089356 ++AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., P O Box 183853, Arlington, TX 76096)

515065806 +Adam Basham, 2508 South Hicks Street, Philadelphia, PA 19145-4604
 515065808 American Education Services, P.O. Box 2461, Harrisburg, PA 17105-2461
 515090717 +Americredit Financial Services, Inc. dba GM Finan, P O Box 183853, Arlington, TX 76096-3853

515065810 Bank of America Home Loans, PO Box 5170, Simi Valley, CA 93062-5170
 515199455 Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266-0933
 515065813 +++DEUTSCHE BANK ELT SLM TRUSTS, DEB SOUTHERLAND, 11600 AMERICAN DREAM WAY, RESTON VA 20190-4758
 (address filed with court: Deutsche Bank ELT SLM Trusts, 11600 Sallie Mae Drive, DEB Southerland, Reston, VA 20193)

515065811 Department of Education/Great Lakes, P.O. Box 530229, Atlanta, GA 30353-0229
 515065812 Dept. of Education/Great Lakes, P.O. Box 7860, Madison, WI 53707-7860
 515791547 ECMC, PO Box 16408, St. Paul, MN 55116-0408
 515791548 ECMC, PO Box 16408, St. Paul, MN 55116-0408, ECMC, PO Box 16408, St. Paul, MN 55116-0408

515247460 EMERG PHYS SVCS OF NJ P.A., PO BOX 1109, Minneapolis, MN 55440-1109
 515065815 GM Financial, P.O. Box 78143, Phoenix, AZ 85062-8143
 515065814 +Glenn & Susanne Basham, 224 Spout Spring Avenue, Lumberton, NJ 08048-2032
 515362428 +NJCLASS, PO Box 548, Trenton, NJ 08625-0548
 515120875 +Navient Solutions, Inc. on behalf of PHEAA, P.O. Box 8147, Harrisburg, PA 17105-8147
 515106573 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 515065816 Pennsylvania Higher Education, 1200 N. 7th Street, Harrisburg, PA 17102-1444
 515065819 State of New Jersey, Higher Education Student Assistance Auth, 4 Quakerbridge Plaza, P.O. Box 544, Trenton, NJ 08625-0544

515065820 +State of New Jersey Student Assistance, PO Box 548, Attn: Bankruptcy Department, Trenton, NJ 08625-0548

515065822 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Financial Services, P.O. Box 17187, Baltimore, MD 21297-0511)

515065821 +Temple University, Conwell Hall, Ground Floor, 1801 N. Broad, Philadelphia, PA 19122-6003
 515092120 Toyota Motor Credit Corporation (TMCC), PO BOX 8026, Cedar Rapids, Iowa 52408-8026
 515065823 +U.S. Department of Education, 830 First Street, NE, Washington, DC 20202-0004
 515171947 United States Department of Education, Claims Filing Unit, P O Box 8973, Madison, WI 53708-8973

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Feb 24 2017 22:25:51 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Feb 24 2017 22:25:49 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235

515249428 E-mail/PDF: rmscedi@recoverycorp.com Feb 24 2017 22:21:35 Capital Recovery V, LLC, c/o Recovery Management Systems Corporat, 25 SE 2nd Avenue Suite 1120, Miami FL 33131-1605

515229657 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 24 2017 22:50:38 Portfolio Recovery Associates, LLC, c/o Capital One, POB 41067, Norfolk VA 23541

515082144 E-mail/Text: bnc-quantum@quantum3group.com Feb 24 2017 22:25:47 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788

515065818 +E-mail/PDF: pa_dc_claims@navient.com Feb 24 2017 22:27:05 Sallie Mae, Inc., 220 Lasley Avenue, Wilkes Barre, PA 18706-1496

515127267 E-mail/PDF: gecsed@recoverycorp.com Feb 24 2017 22:21:34 Synchrony Bank, c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605

TOTAL: 7

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515065809* +American Education Services, PO box 2461, Harrisburg, PA 17105-2461
 516280845* ECMC, PO Box 16408, St. Paul, MN 55116-0408
 516280846* ECMC, PO Box 16408, St. Paul, MN 55116-0408, ECMC, PO Box 16408, St. Paul, MN 55116-0408
 515065817* +Pennsylvania Higher Education, 1200 N. 7th Street, Harrisburg, PA 17102-1419

TOTALS: 0, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 36

Date Rcvd: Feb 24, 2017

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 26, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 21, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Andrew B. Finberg on behalf of Joint Debtor Melissa S Basham andy@sjbankruptcylaw.com, ABFECF@gmail.com
Andrew B. Finberg on behalf of Debtor Chad M Basham andy@sjbankruptcylaw.com, ABFECF@gmail.com
Daniel A. Frischberg on behalf of Debtor Chad M Basham dan@sjbankruptcylaw.com, frischbergglaw@gmail.com
Daniel A. Frischberg on behalf of Joint Debtor Melissa S Basham dan@sjbankruptcylaw.com, frischbergglaw@gmail.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francesca Ann Arcure on behalf of Creditor Toyota Motor Credit Corporation nj_ecf_notices@buckleymadole.com
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., dba GM Financial mortonlaw.bcraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
Lynn Therese Nolan on behalf of Creditor Toyota Motor Credit Corporation LNolan@schillerknapp.com, tshariff@ecf.courtdrive.com/tshariff@schillerknapp.com/kcollins@schillerknapp.com

TOTAL: 11